

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

CalTec Environmental Inc.
2298 Sherry Drive
Napa, California 94558

EPA ID No. CAL 000254832
Respondent.

Docket HWCA 20050975

CONSENT ORDER

Health and Safety Code
Section 25187

The State Department of Toxic Substances Control (Department) and CalTec Environmental Inc. (Respondent) enter into this Consent Order and agree as follows:

1. Respondent transported non-RCRA hazardous waste.
2. The Department inspected the Respondent on May 10, 2005.
3. The Department alleges the following violations:

The Respondent violated Health and Safety Code 25163 (a) (1), California Code of Regulations, title 22, section 66263.17 (a) in that between May 1, 2004 and May 5, 2005, respondent transported non-RCRA hazardous waste on 71 different occasions without a registration certificate from the Department. Respondent transported hazardous waste within California as shown by manifests tabulated below:

Manifest No.	Shipped (Year/Mo/Day)	Received at Disposal Facility (Year/Mo/Day)	Transporter EPA ID Number
20466275	20040501	20040512	CAL000254832
20466279	20040510	20040512	CAL000254832
20466278	20040517	20040604	CAL000254832
20466276	20040525	20040604	CAL000254832
20466277	20040528	20040604	CAL000254832
20466399	20040602	20040604	CAL000254832
20466300	20040608	20040614	CAL000254832
20466287	20040609	20040609	CAL000254832
20466286	20040609	20040609	CAL000254832
20466285	20040609	20040609	CAL000254832
20466284	20040609	20040609	CAL000254832
20466298	20040611	20040614	CAL000254832
20466301	20040616	20040622	CAL000254832
20466302	20040620	20040622	CAL000254832
20466303	20040621	20040622	CAL000254832
20466305	20040623	20040625	CAL000254832
20466306	20040630	20040630	CAL000254832
20466308	20040714	20040719	CAL000254832
20466309	20040721	20040722	CAL000254832
20466310	20040730	20040802	CAL000254832
20466307	20040731	20040802	CAL000254832
20466315	20040804	20040806	CAL000254832
20466313	20040804	20040806	CAL000254832

Manifest No.	Shipped (Year/Mo/Day)	Received at Disposal Facility (Year/Mo/Day)	Transporter EPA ID Number
20466312	20040804	20040806	CAL000254832
20466314	20040819	20040820	CAL000254832
20466316	20040831	20040901	CAL000254832
20466317	20040902	20040902	CAL000254832
20466318	20040907	20040907	CAL000254832
20466319	20040909	20040922	CAL000254832
20466320	20040911	20040922	CAL000254832
20466321	20040920	20040922	CAL000254832
20466322	20040923	20040924	CAL000254832
20466323	20040925	20040928	CAL000254832
20466324	20041008	20041028	CAL000254832
20466327	20041013	20041028	CAL000254832
20466328	20041015	20041028	CAL000254832
20466329	20041020	20041028	CAL000254832
20466330	20041021	20041028	CAL000254832
20466331	20041028	20041112	CAL000254832
20466333	20041105	20041112	CAL000254832
20466335	20041110	20041112	CAL000254832
20466338	20041213	20041223	CAL000254832
20466336	20041214	20041223	CAL000254832
20466339	20041231	20050118	CAL000254832
20466397	20050112	20050118	CAL000254832
20466394	20050203	20050209	CAL000254832
20466391	20050207	20050209	CAL000254832

Manifest No.	Shipped (Year/Mo/Day)	Received at Disposal Facility (Year/Mo/Day)	Transporter EPA ID Number
20466396	20050208	20050209	CAL000254832
20466395	20050212	20050221	CAL000254832
20466392	20050214	20050216	CAL000254832
20466387	20050217	20050218	CAL000254832
20466340	20050217	20050221	CAL000254832
20466393	20050218	20050221	CAL000254832
20466342	20050305	20050311	CAL000254832
20466341	20050309	20050311	CAL000254832
20466343	20050310	20050311	CAL000254832
20466345	20050316	20050318	CAL000254832
20466381	20050324	20050330	CAL000254832
20466344	20050325	20050330	CAL000254832
20466379	20050329	20050330	CAL000254832
20466380	20050331	20050401	CAL000254832
20466382	20050405	20050406	CAL000254832
20466378	20050406	20050406	CAL000254832
20466383	20050406	20050407	CAL000254832
20466377	20050407	20050408	CAL000254832
20466347	20050411	20050411	CAL000254832
20466350	20050412	20050413	CAL000254832
20466349	20050419	20050425	CAL000254832
20466348	20050419	20050425	CAL000254832
20466360	20050425	20050426	CAL000254832
20466352	20050504	20050505	CAL000254832

4. A dispute exists regarding the alleged violations.
5. The parties wish to avoid the expense of litigation and to ensure prompt compliance.
6. Jurisdiction exists pursuant to Health and Safety Code section 25187.
7. Respondent waives any right to a hearing in this matter.
8. This Consent Order shall constitute full settlement of the violations alleged above, but does not limit the Department from taking appropriate enforcement action concerning other violations.

SCHEDULE FOR COMPLIANCE

9. The violations have been corrected. Respondents applied for and received hazardous waste transporter registration on May 17, 2005.

PAYMENTS

10. Within 30 days of the effective date of this Consent Order, Respondent shall pay the Department a total of \$ 4,000, of which \$2913 is a penalty and \$1087 is reimbursement of the Department's costs. Respondent's check shall be made payable to Department of Toxic Substances Control, and shall be delivered together with the attached Payment Voucher to:

Department of Toxic Substances Control
Accounting Office
1001 I Street, 21st floor
P. O. Box 806
Sacramento, California 95812-0806

A photocopy of the check shall be sent:

To: Mr. Peter Wood
Senior Hazardous Substances Scientist
Statewide Compliance Division
Department of Toxic Substances Control
1001 I Street
P.O. Box 806
Sacramento, California 95812-0806

If Respondent fails to make payment as provided above, Respondent agrees to pay interest at the rate established pursuant to Health and Safety Code section 25360.1 and to pay all costs incurred by the Department in pursuing collection including attorney's fees.

OTHER PROVISIONS

11.1. Additional Enforcement Actions: By agreeing to this Consent Order, the Department does not waive the right to take further enforcement actions, except to the extent provided in this Consent Order.

11.2. Penalties for Noncompliance: Failure to comply with the terms of this Consent Order may subject Respondent to civil penalties and/or punitive damages for any costs incurred by the Department or other government agencies as a result of such failure, as provided by Health and Safety Code section 25188 and other applicable provisions of law.

11.3. Parties Bound: This Consent Order shall apply to and be binding upon Respondent and its officers, directors, agents, receivers, trustees, employees, contractors, consultants, successors, and assignees, including but not limited to individuals, partners, and subsidiary and parent corporations, and upon the

Department and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Consent Order.

11.4. Effective Date: The effective date of this Consent Order is the date it is signed by the Department.

11.5. Integration: This agreement constitutes the entire agreement between the parties and may not be amended, supplemented, or modified, except as provided in this agreement.

Dated: July 12, 2006

Original signed by Richard E. Davis
CalTec Environmental Inc.
2298 Sherry Drive
Napa, California 94558
Respondent

Dated: July 12, 2006

Original signed by Peter J. Wood
Mr. Peter J. Wood
Senior Hazardous Substances Scientist
Statewide Compliance Division
Department of Toxic Substances Control